IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA :

: CRIM. NO. 04-491-1

V.

: CIVIL NO. 08-5475

HAROLD SPURELL

ORDER

AND NOW, this <u>23rd</u> day of <u>February</u>, 2012, upon consideration of Petitioner's Habeas Corpus Motion Under 28 U.S.C. § 2255 (ECF No. 42), and all papers submitted in support thereof and in opposition thereto, it is **ORDERED** as follows:

- 1. Petitioner's Habeas Corpus Motion Under 28 U.S.C. § 2255 is **DENIED.**
- 2. No Certificate of Appealability shall issue.

IT IS SO ORDERED.

BY THE COURT:

R. BARCLAY SURRICK, J.